

In the Claims

Rewrite claim 1 as follows:

1. A knock-down portable bar cart comprising
a body frame;
a pair of leg frames, each leg frame being releasably connected to said body frame at an opposite side from the other of said pair of leg frames to support said body frame on a support surface; and
a table top releasably connected to and across said leg frames in
vertically spaced relation to said body frame

REMARKS

Claims 1 to 24 remain in this application.

The allowability of claims 8, 12, 14 and 22 is acknowledged.

A separate letter is being submitted by mail with a clean set of drawings to substitute for the drawings of record. It is believed that all of these drawings have proper margins, particularly Figs. 3 and 4.

The description has been amended in page 8, line 18 to refer to reference character "31".

Claim 1 has been amended as suggested and is believed to be in conformance with the provisions of 35 USC 112.

Reconsideration of the remaining rejections of the claim is requested for the following reasons:

Claim 1

Claim 1 has been rejected as being anticipated by Harrah, Berthier, Holtz and McClellan.

Harrah

The Examiner has repeated the rejection of claim 1 as being anticipated by Harrah for the same reasons as presented in the Office Action dated April 26, 2001.

Applicant has responded to that Office Action pointing out the differences between Harrah and the structure recited in claim 1. The Examiner has not responded to these reasons.

As previously stated, the two rods 12, 13 and arms 20, 21 of Harrah, of themselves, do not form a frame. Instead, these six individual components must be connected to other components of the wheeled tray in order to have any viability. The Examiner has not responded to this issue.

The Examiner considers the tray 19 of Harrah to be "connected to and across said leg frame" and that the tray 19 is "in vertically spaced relation to said body frame". Issue was taken in this respect. Applicant noted that the tray 19 of Harrah is only connected to the two leg frames via the vertically depending arms 20, 21 and cross rods 12, 13. Applicant further noted that the tray 19 is not in vertically spaced relation to the alleged "body frame" which the Examiner considers to be composed of the rods 12, 13 and arms 20, 21. That is to say, if the upstanding arms 20, 21 of Harrah constitutes the "body frame", then the tray 19 cannot be in "vertically spaced relation to said body frame". As shown, tray 19 is connected directly to the four arms 20, 21.

Applicant has pointed out differences in structure between the structure recited in claim 1 and Harrah. The Examiner has not addressed these differences. Accordingly, a rejection of claim 1 as being anticipated by Harrah is not warranted pursuant to the provisions of 35 USC 102.

Berthier

Again, the Examiner has repeated the rejection from the previous Office Action and has not responded to applicant's pointing out the of the differences between the structure recited in claim 1 and the structure recited Berthier.

As previously noted, claim 1 requires "a table top releasably connected to and across said leg frames. . . ". The top tray 3 of Berthier is not connected across the leg frames 1, 2. That is to say, the top tray 3 does not cross the leg frames 1, 2. Instead, the top tray 3 of Berthier is connected to and between the alleged leg frames 1, 2. The Examiner is requested to point out how the top tray 3 of Berthier is "connected across"

the leg frames 1, 2 particularly since the top tray 3 does not cross over the leg frames 1, 2.

In view of the above, a rejection of claim 1 as being anticipated by Berthier is not warranted pursuant to the provisions of 35 USC 102.

Holtz

The rejection of claim 1 as being anticipated by Holtz is a repeat of the previous rejection. Again, applicant has noted the differences between a structure recited in claim 1 and the structure described in Holtz. The Examiner has not responded to these differences.

Applicant has noted that each U-shaped leg frame 10 of Holtz is connected to both sides of the alleged body frame 20. Further, applicant noted that each leg frame is not connected on an opposite side of the "body frame" from the other leg frame. The Examiner has not responded to this difference.

Applicant has further noted that the upper table frame 18 of Holtz is not connected across the leg frame 10, 11.

In view of the differences between the structure recited in claim 1 and the structure described in Holtz, a rejection of claim 1 as being anticipated by Holtz is not warranted pursuant to the provisions of 35 USC 102.

McClellan

The rejection of claim 1 as being anticipated by McClellan is a repeat of the previous rejection. Again, the Examiner has not responded to the differences noted by applicant between the structure recited in claim 1 and the structure described inMcClellan.

Applicant noted that the two channel members 24 shown in Fig. 1 of McClellan do not constitute a frame since they are not connected to each other. The Examiner has not responded to this issue.

Applicant has noted that the table top 20 of McClellan is secured directly to the channel members 24 and that there is no space in between the table 20 and the

channel members 24. As such, the table top 20 is not in vertically spaced relation to the channel members 24 as required by applicant's claim 1. Accordingly, a rejection of claim 1 as being anticipated by McClellan is not warranted pursuant to the provisions of 35 USC 102.

Appeal

Applicant is entitled to issues being reached for purposes of appeal. Accordingly, it is requested that the Examiner respond to the issues which are noted above with respect to claim 1.

Claims 2 to 7 9 to 11 13 and 15-17 depend from claim 1 and are believed to be allowable for similar reasons.

Claim 2

Claim 2 has been rejected as being anticipated by Harrah, Berthier, Holtz and McClellan.

Claim 2 requires the body frame of claim 1 to be "rectangular box-shaped skeletal structure". The rods 12, 13 and arms 20, 21 of Harrah do not define a rectangular box-like shaped skeletal structure.; the bottom tray 4 in Berthier is not a box-shaped skeletal structure (as shown in Fig. 2 the bottom tray is formed of a rectangular frame and an insert 8); the bottom tray 20 of Holtz is not a rectangular box-shape skeletal structure (the frame 20 is formed of rectangular wire frames and a sheet 56); and the pair of parallel channel members 24 of McClellan do not form a rectangular box-shaped skeletal structure.

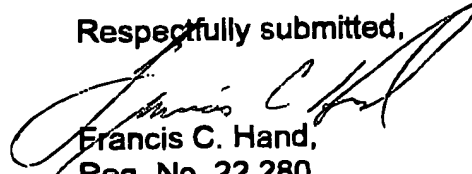
The Examiner has not responded to the differences noted by applicant with respect to claim 2 and the four references cited against claim 2.

Claim 18

Claim 18 has been rejected by being anticipated by Harrah, Berthier, Holtz and McClellan.

Appeal. Again, the undersigned requests the benefit of an interview so that issues may be clarified and identified for purposes of Appeal.

Respectfully submitted,



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Changes In Description Made By Amendment

Next, the table top 14 is mounted on the arms 38 of the leg frames 12, 13 to lock the frames 11, 12, 13 together in a rigid manner. In this respect, the U-shaped edge [31] 39 on one side of the table top 14 is fitted under the arms 38 on one side of the bar cart and then the opposite side is snapped into place over the arms 38 on the opposite side of bar cart. As indicated in Fig. 1, the ends of the table top 14 project beyond the leg frames 12, 13 in order to provide a shelf on those ends of the bar cart 10 in addition to the shelf provided to the one side of the bar cart 10.

Amended Claims

Rewrite claim 1 as follows.

1. A knock-down portable bar cart comprising
a body frame;
a pair of leg frames, each leg frame being releaseably connected to said body frame at an opposite side from the other of said pair of leg frames to support said body frame on a support surface; and
a table top releaseably connected to and across said leg frames in
vertically spaced relation to said body frame.